

paratuberculosis reactors.

80.6 Marking of records.

80.7 Cleaning and disinfecting vehicles.

80.8 Segregation of paratuberculosis reactors en route interstate.

80.9 Certificates pertaining to movement of animals.

AUTHORITY: 21 U.S.C. 111-113, 114a-1, 115, 117, 120, 121, and 125; 7 CFR 2.22, 2.80, and 371.2(d).

SOURCE: 28 FR 5961, June 13, 1963, unless otherwise noted.

### §80.1 Definitions.

As used in this part, the following terms shall have the meanings set forth in this section except as otherwise clearly indicated.

(a) *Paratuberculosis*. The infectious and communicable disease of domestic animals commonly known as Johne's disease and paratuberculosis.

(b) *State*. Any State, Territory, the District of Columbia, or Puerto Rico.

(c) *Interstate*. From one State into or through any other State.

(d) *Person*. Any person, company, or corporation.

(e) *Moved*. Shipped, transported or otherwise moved, or delivered or received for movement, by any person.

(f) [Reserved]

(g) *Federal inspector*. An inspector of the Animal and Plant Health Inspection Service, United States Department of Agriculture, responsible for the performance of the function involved.

(h) *State inspector*. An inspector regularly employed in livestock sanitary work of a State or political subdivision thereof, and who is authorized by such State or political subdivision to perform the function involved.

(i) *Accredited veterinarian*. A veterinarian approved by the United States Department of Agriculture to perform the function involved.

(j) *Specifically approved stockyard*.<sup>1</sup> Premises where cattle or bison are assembled for sale or sale purposes and which meet the standards set forth in

<sup>1</sup>Notices containing lists of specifically approved stockyards are published in the FEDERAL REGISTER. Lists of specifically approved stockyards also may be obtained from the State animal health official, State representatives, or Veterinary Services representatives.

§71.20 of this chapter and are approved by the Deputy Administrator.

[28 FR 5961, June 13, 1963, as amended at 29 FR 14490, Oct. 22, 1964; 38 FR 18012, July 6, 1973; 51 FR 32600, Sept. 12, 1986; 62 FR 27937, May 22, 1997]

### §80.2 Notice relating to existence of paratuberculosis.

On June 5, 1952, the Secretary of Agriculture issued a notice that the contagion of paratuberculosis exists in domestic animals in Puerto Rico and in each State of the Continental United States except Arizona, Maine, New Hampshire, Rhode Island, Utah, and Wyoming (17 FR 5260).

### §80.3 General restrictions.

Domestic animals affected with paratuberculosis may not be moved interstate except in compliance with the regulations in this part.

### §80.4 Movement of paratuberculosis reactors.

Domestic animals which have reacted to a test recognized by the Secretary of Agriculture for paratuberculosis may be moved interstate under this part for immediate slaughter direct to a recognized slaughtering establishment as defined in §78.1 of this chapter, or to a specifically approved stockyard for sale to such a slaughtering establishment, in accordance with the following requirements;

(a) Cattle and other domestic animals that have reacted to such a test must be individually identified by attaching to the left ear an approved metal eartag bearing a serial number and the inscription "U.S. Reactor", or a similar State reactor tag. Cattle must also be:

(1) Branded with the letter "J," at least 5 by 5 centimeters (2 by 2 inches) in size, high on the left hip near the tailhead; or

(2) Accompanied directly to slaughter by an APHIS or State representative; or

(3) Moved in vehicles closed with official seals applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

(b) The reactors shall be accompanied to destination, in accordance with §80.9, by a certificate issued by a Federal or State inspector or an accredited veterinarian showing: (1) That the animals have reacted to a test recognized by the Secretary of Agriculture for paratuberculosis; (2) the reactor tag number for each animal and the name of the owner of such animal when it was tested for paratuberculosis; (3) that the animals may be moved interstate; (4) the destination to which they are to be moved; and (5) the purpose for which they are moved.

[28 FR 5961, June 13, 1963, as amended at 38 FR 18012, July 6, 1973; 51 FR 32600, Sept. 12, 1986; 60 FR 48368, Sept. 19, 1995]

#### **§80.5 Reshipment of purebred paratuberculosis reactors.**

Purebred animals which have been moved interstate for breeding purposes, and which, subsequent to such movement, have reacted to a test recognized by the Secretary of Agriculture for paratuberculosis, may be reshipped interstate under this part for purposes other than immediate slaughter in accordance with the requirements set forth in paragraphs (a) and (b) of §80.4 and with the following additional requirements:

(a) The reactors shall be returned to the point of origin, consigned to the original owner.

(b) Test charts for the original test and any subsequent retest, showing that such tests were properly conducted, shall be submitted for examination to the person who issues the certificate required by §80.4(b).

(c) The reactors shall not be shipped to any State without specific provision by the appropriate livestock sanitary official thereof for the segregation or quarantine of such reactors until their death by slaughter or from natural causes.

(d) The reactors, after return to the point of origin, shall not again be moved interstate except for immediate slaughter in accordance with the provisions of §80.4.

#### **§80.6 Marking of records.**

Each transportation agency moving paratuberculosis reactors in the course

of their interstate movement shall plainly write or stamp upon the face of each waybill, conductor's manifest, switch order, vehicle interchange record, and similar record, which it prepares in connection with such movement, the words "Paratuberculosis Reactors" and a statement to the effect that the railroad car, boat, truck or vehicle, in which the animals are transported is to be cleaned and disinfected.

#### **§80.7 Cleaning and disinfecting vehicles.**

(a) Each railroad car, boat, truck, or other vehicle, in which paratuberculosis reactors are transported interstate shall be cleaned and disinfected in accordance with the provisions of §§71.6, 71.7, 71.10, and 71.11 of this subchapter: *Provided, however*, That such vehicles may be cleaned and disinfected under the supervision of a Federal or State inspector or an accredited veterinarian: *And provided, further*, That if such supervision or proper cleaning and disinfection facilities are not available at the point where the animals are unloaded, upon permission first secured from the Veterinary Services unit of the Animal and Plant Health Inspection Service, United States Department of Agriculture, the vehicle may be forwarded empty to a point at which such supervision and facilities are available and there be cleaned and disinfected.

(b) Each railroad car, boat, truck, or other vehicle, from which paratuberculosis reactors moved interstate are transferred en route to destination, shall be cleaned and disinfected, by the transportation agency delivering the vehicle to such point of transfer, under the supervision of a Federal or State inspector or an accredited veterinarian, immediately after unloading of the animals and before being moved from such point of transfer, in accordance with the provisions of §§71.6, 71.7, 71.10, and 71.11 of this subchapter: *Provided, however*, That if such supervision or proper cleaning and disinfection facilities are not available at such point of transfer, upon having first secured permission from Veterinary Services, the vehicle may be forwarded empty to a point at which such supervision and facilities